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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO

In re:

CONE ENGINEERING CONTRACTORS,
INC., a California Corporation,

Reorganized Debtor.

Civil No. CV 05-02137 PJH

Bankruptcy Case No. 02-45803 J11

Chapter 11 Proceeding

**ORDER APPROVING STIPULATION
DISMISSING APPEAL OF
BANKRUPTCY COURT ORDER
ENTERED ON MAY 4, 2005**

The Court, having read and considered the Stipulation Dismissing Appeal of Bankruptcy Court Order entered on May 4, 2005 ("Stipulation"), and good cause appearing therefor,

IT IS HEREBY ORDERED that the Stipulation is approved, and, accordingly, Appellant's appeal, referenced hereinabove, is hereby dismissed.

November 16, 2005
DATED: _____

By: 
UNITED STATES DISTRICT JUDGE

CERTIFICATE OF SERVICE

I, Paul S. Tu, declare as follows:

I am employed in the County of Orange, State of California; I am over the age of eighteen years and am not a party to this action; my business address is 660 Newport Center Drive, 4th Floor, Newport Beach, California 92660, in said County and State.

On **November 15, 2005**, I served the following document: **ORDER APPROVING STIPULATION DISMISSING APPEAL OF BANKRUPTCY COURT ORDER ENTERED ON MAY 4, 2005** on each of the interested parties:

<u>Reorganized Debtor</u> Roger Cone, President Cone Engineering Contractors, Inc. 4 Crow Canyon Court, Suite 100 San Ramon, CA 94583	Office of the United States Trustee Attention: Andrew Velez-Rivera, Esq. 1301 Clay Street, Suite 690N Oakland, CA 94612-5217
State Compensation Insurance Fund James E. Armstrong, Esq. 1275 Market Street San Francisco, CA 94103	

by the following means of service:

<input checked="" type="checkbox"/>	BY MAIL: I placed a true copy in a sealed envelope addressed as indicated above, on the above-mentioned date. I am familiar with the firm's practice of collection and processing correspondence for mailing. It is deposited with the U.S. Postal Service on that same day in the ordinary course of business. Under that practice it would be deposited with the U.S. Postal Service on that same date with postage thereon fully prepaid at Newport Beach, California in the ordinary course of business I am aware that on motion of party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.
<input checked="" type="checkbox"/>	I am employed in the office of Winthrop Couchot Professional Corporation, Robert E. Opera, is a member of the bar of this court.
<input checked="" type="checkbox"/>	(FEDERAL) I declare under penalty of perjury that the foregoing is true and correct.

Executed on **November 15, 2005**, at Newport Beach, California.

/s/

PAUL S. TU

Initials